

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

LEE EVANS DUNIGAN,)
)
)
Plaintiff,)
)
)
v.) No. 1:21-cv-00212-JPH-DML
)
)
CURTIS T. HILL,)
)
)
Defendant.)

Order

Plaintiff Lee Dunigan's motion for an order directing Pendleton Correctional Facility staff to release his stimulus check, dkt. [9], is **denied**. The motion is understood to seek injunctive relief. But his request regarding the stimulus check is not related to the claims in this case and Pendleton Correctional Facility staff are not parties to this case. *De Beers Consol. Mines v. United States*, 325 U.S. 212, 220 (1945) (A preliminary injunction is not appropriate when "it deals with a matter lying wholly outside the issues in the suit."). Further, preliminary relief is not yet available to the plaintiff because "[a]n injunction, like any 'enforcement action,' may be entered only against a litigant, that is, a party that has been served and is under the jurisdiction of the district court." *Maddox v. Wexford Health Sources, Inc.*, 528 Fed. Appx. 669, 672 (7th Cir. 2013) (quoting *Lake Shore Asset Mgmt., Ltd. v. Commodity Futures Trading Comm'n*, 511 F.3d 762, 767 (7th Cir. 2007)).

SO ORDERED.

Date: 3/4/2021

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

LEE EVANS DUNIGAN
282570
WABASH VALLEY - CF
WABASH VALLEY CORRECTIONAL FACILITY
Inmate Mail/Parcels
6908 S. Old US Hwy 41
P.O. Box 1111
CARLISLE, IN 47838